

REMARKS

Reconsideration and allowance of the present application are respectfully requested in view of the foregoing amendments and the following remarks. Claims 1, 6, and 7 have been amended, and claims 4, 5, 8, and 9 have been cancelled without prejudice or disclaimer to the subject matter therein. Claims 2 and 3 are indicated as cancelled, having been previously cancelled. Upon entry of this Amendment, claims 1, 6, 7, 10, and 11 will remain pending.

Entry of this Amendment is proper under 37 C.F.R. § 1.116 as the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not present any new issues that would require further consideration and/or search as the amendments merely amplify issues discussed throughout the prosecution; (c) do not present any additional claims without canceling a corresponding number of claims; and (d) place the application in better form for appeal, should an appeal be necessary. Entry of this Amendment is thus respectfully requested.

I. Allowable Subject Matter

The Office Action indicated that independent claim 1 would be allowable if amended to include the subject matter of claims 4 and 5. Applicants have so amended claim 1 and respectfully submit that claim 1 is now allowable. In addition, Applicants have amended corresponding independent claims 6 and 7 to include the subject matter of claims 8 and 9 and respectfully submit that claims 6 and 7 are now allowable. Dependent claims 10 and 11 depend from amended claim 6 and are patentable for the reasons supporting patentability of claim 6 and for the additional features recited therein.

II. Claim Rejections – 35 U.S.C. § 103

The Office Action rejected claims 1, 4, and 6-8 under 35 U.S.C. § 103(a) as being unpatentable over Joensuu et al. (U.S. Patent No. 5,966,653) in view of Alperovich et al. (U.S. Patent No. 6,459,680) and Tiedemann, Jr. et al. (U.S. Patent No. 6,335,922). Claims 5 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Joensuu in view of Alperovich, Tiedemann, and Dezonno (U.S. Patent No. 6,449,356). Claims 10 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Joensuu in view of Alperovich and Tiedemann.

Claims 4, 5, 8, and 9 have been cancelled, thus rendering the rejections moot with respect to these claims. As amended, claims 1, 6, 7, 10, and 11 are patentable for the above reasons, and Applicants respectfully request that the rejections be withdrawn.

III. Conclusion

All rejections having been addressed, Applicants request issuance of a notice of allowance indicating the allowability of claims 1, 6, 7, 10, and 11. If anything further is necessary to place the application in condition for allowance, Applicants request that the Examiner contact Applicants' undersigned representative at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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